

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIUS COLLINS,

Petitioner,

No. CIV S-03-1915 FCD DAD P

vs.

D.L. RUNNELS, et al.,

Respondents.

ORDER

Petitioner, a state prisoner proceeding pro se and in forma pauperis, has filed a third amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Since petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondents will be directed to file a response to petitioner's third amended habeas petition.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Within thirty days from the date of this order, respondents are directed to file a response to petitioner's third amended habeas petition, filed on December 3, 2004. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

1           2. If the response to the third amended habeas petition is an answer, petitioner's  
2 reply, if any, shall be filed and served within thirty days after service of the answer;

3           3. If the response to petitioner's third amended habeas petition is a motion,  
4 petitioner's opposition or statement of non-opposition to the motion shall be filed and served  
5 within thirty days of service after service of the motion, and respondents' reply, if any, shall be  
6 filed and served within fifteen days thereafter; and

7           4. The Clerk of the Court shall serve a copy of this order together with a copy of  
8 the third amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Jo Graves,  
9 Senior Assistant Attorney General.

10 DATED: May 13, 2005.

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13 DALE A. DROZD  
14 UNITED STATES MAGISTRATE JUDGE

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